

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

DOCKETED

JEFF HATCH-MILLER, Chairman
 WILLIAM A. MUNDELL
 MARC SPITZER
 MIKE GLEASON
 KRISTIN K. MAYES

JAN 20 2005

JAN 24 2005

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
 MARK VANDER WAL dba MTV WORLD
 PAYPHONES FOR THE CANCELLATION OF
 THE CERTIFICATE OF CONVENIENCE AND
 NECESSITY TO PROVIDE CUSTOMER-OWNED
 PAY TELEPHONE SERVICE IN THE STATE OF
 ARIZONA.

DOCKET NO. T-02939A-04-0490

DECISION NO. 67507ORDER

Open Meeting
 January 11 and 12, 2005
 Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. Mark Vander Wal dba MTV World Payphones ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59242 (August 30, 1995).

2. On July 2, 2004, Applicant filed with the Commission an application requesting the cancellation of its Certificate, which indicates that it does not have any pay telephones and no longer provides COPT service in the State of Arizona.

3. On December 7, 2004, the Commission's Utilities Division Staff ("Staff") filed a Staff Report, recommending approval of the application to cancel Applicant's Certificate without a hearing.

CONCLUSIONS OF LAW

1. Applicant is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

2. The Commission has jurisdiction over Applicant and the subject matter of the

1 application.

2 3. The cancellation of Applicant's Certificate is in the public interest.

3 4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
4 Certificates without a hearing.

5 5. Staff's recommendation in Findings of Fact No. 3 is reasonable and should be
6 adopted.

7 **ORDER**

8 IT IS THEREFORE ORDERED that the application of Mark Vander Wal dba MTV World
9 Payphones for the cancellation of the Certificate of Convenience and Necessity to provide customer-
10 owned pay telephone service shall be, and is hereby, approved.

11 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

12 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

13 
14 CHAIRMAN

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14 COMMISSIONER

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14 COMMISSIONER

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18 COMMISSIONER

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20 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
21 Secretary of the Arizona Corporation Commission, have
22 hereunto set my hand and caused the official seal of the
23 Commission to be affixed at the Capitol, in the City of Phoenix,
24 this 20th day of Jan., 2005.

23 
24 BRIAN C. McNEIL
EXECUTIVE SECRETARY

25 DISSENT _____

26 DISSENT _____

27 LF:mj

SERVICE LIST FOR:

MARK VANDER WAL DBA MTV WORLD PAYPHONES

DOCKET NO.:

T-02939A-04-0490

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